

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 211151
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 L-03 SS-15 JUSE-00 NSC-05
CIAE-00 COME-00 DODE-00 DOTE-00 FMC-01 INR-07
NSAE-00 CG-00 DLOS-09 OES-07 SIG-01 /069 R

DRAFTED BY EB/TCA/MA:SPILLA:CEK
APPROVED BY EB/TCA/MA:RKBANK
L/EB:SBENSON
EB/IFD/BP:HJWINTER
E:LROSS
EUR/RPE:KSTOCKER
DOJ:DFLEXNER (INFO)
-----092233 032249Z /61

R 022034Z SEP 77
FM SECSTATE WASHDC
TO AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY BRUSSELS
AMEMBASSY BONN
AMEMBASSY THE HAGUE
AMEMBASSY STOCKHOLM
AMCONSUL HAMBURG

LIMITED OFFICIAL USE STATE 211151

USEEC/USOECN ALSO FOR EMBASSY

E.O. 11652:N/A

TAGS: EWWT

SUBJECT: EUROPEANS' JOINT DEMARCHE ON U.S. CRIMINAL ANTI-
TRUST INVESTIGATION OF NORTH ATLANTIC OCEAN CARRIERS

REF: 76 STATE 266737, EB/MA MEMCON OF MAY 11, 1977
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 211151

1. ON THURSDAY, SEPT. 1, A DELEGATION OF SIX EUROPEAN
EMBASSY REPRESENTATIVES LED BY BRITISH AMBASSADOR PETER JAY
MADE A DEMARCHE TO UNDER SECRETARY COOPER IN WHICH THE
EUROPEANS REITERATED THEIR CONCERNS WITH THE CONTINUING
CRIMINAL GRAND JURY INVESTIGATION OF EUROPEAN CARRIERS BY
THE U.S. DEPARTMENT OF JUSTICE. BESIDES AMB. JAY, THE

EUROPEAN DELEGATION CONSISTED OF PIERRE BOYER, CHARGE

(FRANCE), BENTG BORGLUND, CHARGE (SWEDEN), HANS MICHAEL RUYTER, MINISTER COUNSELOR (FRG), EMILE MASSA, COMMERCIAL COUNSELOR (BELGIUM), AND DR. A. SMITSENDONK, ECONOMIC MINISTER, (THE NETHERLANDS).

2. IN THE MEETING, AMB. JAY, ALTHOUGH NOTING THE EXISTENCE OF U.S. ANTITRUST LAW, QUESTIONED ITS APPLICATION INTERNATIONALLY (THE "LONG ARM ACROSS THE ATLANTIC"), CLAIMING THAT ALLEGED U.S. UNILATERALISM WAS INFRINGING ON THE EUROPEANS' SOVEREIGNTY. HE REQUESTED FURTHER DISCUSSIONS, UNDER A DESIRE TO REACH A COMPROMISE ON THE CRIMINAL STATUS

OF THE CASE AND ON MESHING OF EUROPEAN-U.S. APPROACHES TO FUTURE MATTERS OF SHIPPING REGULATION. MR. COOPER REPEATED SEVERAL TIMES THAT THE TWO MATTERS MUST REMAIN SEPARATE, AND THAT THE USG WAS UNABLE TO CIRCUMVENT THE CLEAR DICTATES OF ITS LAWS, I.E., THAT THE ONLY CIRCUMSTANCE THAT WOULD

ALLOW THE CASE TO BE CHANGED TO A CIVIL PROCEEDING WOULD BE A LACK OF EVIDENCE OF CRIMINAL CONDUCT. COOPER SAID THAT THE U.S. WILL BE HAPPY TO ENGAGE IN FURTHER CONSULTATIONS, BUT ONLY ON MATTERS OF BROAD POLICY, WITH THE CURRENT CASE BEING OFF-LIMITS. THE EUROPEANS FIND THIS LAST PROVISIO DIFFICULT TO ACCEPT.
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 STATE 211151

3. A COPY OF THEIR NOTE AND THE MEMCON WILL BE POUCHED. CHRISTOPHER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ANTITRUST, STEAMSHIP LINES, INVESTIGATIONS, DEMARCHES
Control Number: n/a
Copy: SINGLE
Sent Date: 02-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE211151
Document Source: CORE
Document Unique ID: 00
Drafter: SPILLA:CEK
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770320-1139
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197709101/aaaadhay.tel
Line Count: 97
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 627fff38-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 266737
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Jan-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1064853
Secure: OPEN
Status: NATIVE
Subject: EUROPEANS' JOINT DEMARCHE ON U.S. CRIMINAL ANTI- TRUST INVESTIGATION OF NORTH ATLANTIC OCEAN CARRIERS
TAGS: EWWT, US, XG
To: LONDON PARIS MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/627fff38-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009